

REMARKS

The application has been reviewed in light of the Office Action dated April 30, 2004. Claims 30-55 are pending, with claims 30-35, 40, 45, 50 and 51 being in independent form. Claims 1-29 were previously canceled, without prejudice. By this Amendment, claims 30-35, 40, 45, 50 and 51 have been amended hereby to place the claims in better form for examination and to clarify the claimed invention.

Claims 30-55 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by European Patent Application No. EP 0 701 181 (Ban).

Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit that independent claims 30-35, 40, 45, 50 and 51 are patentable over the cited art, for at least the following reasons.

This application relates to toner bottles for copiers, facsimile machines, printers, other electrophotographic image forming apparatuses, etc. Conventional toner containers typically require a mechanism for discharging the toner in the container. The mechanism can be (i) an agitating and discharging means inside the container, or (ii) drive means for rotating the container about its axis. However, movement of the discharge mechanism generally tends to cause undesired leakage of toner from the conventional toner container.

Applicants devised tools (for example, methodologies, preforms, molds, etc.) for producing toner bottles which do not have the above-mentioned disadvantages of conventional toner containers. In particular, Applicants found that the above-mentioned disadvantages of conventional toner containers can be avoided (or at least minimized), if an outer circumference of a mouth portion of the toner bottle has circularity of about 0.7 mm or below.

For example, according to independent claim 30, in a method of producing a toner bottle

from a preform basically made up of a mouth portion, a support ring portion and a stretch blow portion by biaxial, stretch blow molding, the mouth portion comprising a toner outlet and a cylindrical wall, the mouth portion is formed by injection molding, and an outer circumference of the mouth portion has circularity of about 0.7 mm or below.

Ban, as understood by Applicants, is directed to a toner bottle having high rigidity, wherein lateral recesses or projections extend in a direction transverse to a longitudinal direction of the bottle, and longitudinal recesses or projections extend in the longitudinal direction on both sides of the lateral recesses or projections. The Office Action contends that Ban discloses a mouth portion having circularity (i.e. circumference) of about 0.7 mm or below, and cites column 6, lines 17-37 of Ban as purported support therefor.

Applicants disagree. Column 6, lines 17-37 of Ban is clearly directed to thickness of the bottle. Column 6, lines 17-37 of Ban states in relevant part:

“As to the relationship between the thickness of the bottle and the rigidity, it is preferable to control the average thickness over the circumference. Even if there is a thin portion, the rigidity may be sufficient if the portion adjacent thereto is thick. ... The thickness of the bottle on the average is not less than 0.6 mm and not more than 3.0 mm, and the minimum thickness is not less than 0.4 mm and not more than 2.5 mm. ...”

Applicants do not find disclosure or suggestion by the cited art, however, of a method of producing a toner bottle having a mouth portion, wherein an outer circumference of the mouth portion has circularity of about 0.7 mm or below, as provided by independent claim 30.

Since the cited art does not disclose or suggest each and every feature of the claimed invention, the cited art does not render the claimed invention unpatentable.

Independent claims 31-35, 40, 45, 50 and 51 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicants respectfully submit that

independent claims 30-35, 40, 45, 50 and 51, and the claims depending therefrom, are patentable over the cited art.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

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